

**45A.435 Contract performance and payment bonds.**

- (1) When a construction contract is awarded in an amount in excess of one hundred thousand dollars (\$100,000), the following bonds shall be furnished to the local public agency, and shall become binding on the parties upon the award of the contract:
  - (a) A performance bond satisfactory to the local public agency executed by a surety company authorized to do business in this Commonwealth, or otherwise supplied, satisfactory to the local public agency, in an amount equal to one hundred percent (100%) of the contract price as it may be increased; and
  - (b) A payment bond satisfactory to the local public agency, executed by a surety company authorized to do business in this Commonwealth, or otherwise supplied, satisfactory to the local public agency, for the protection of all persons supplying labor and material to the contractor or his subcontractors for the performance of the work provided for in the contract. The bond shall be in an amount equal to one hundred percent (100%) of the original contract price.
- (2) Nothing in this section shall be construed to limit the authority of the local public agency to require a performance bond or other security in addition to those bonds, or in circumstances other than specified in subsection (1) of this section, including, but not limited to, bonds for the payment of taxes and unemployment insurance premiums.

**Effective:** June 27, 2019

**History:** Amended 2019 Ky. Acts ch. 79, sec. 3, effective June 27, 2019. -- Created 1978 Ky. Acts ch. 110, sec. 88, effective January 1, 1980.